

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

v.)

JUAN AGUSTIN CARABALLO
JEAN CLAUDE MULLER,
Defendants.)

FILED
CLERK'S OFFICE
DEC 28 P 3:47
04 CR 10396 PBS
Criminal No. 1
21 U.S.C. § 846 - Conspiracy To
Possess With Intent to Distribute
and Distribute Cocaine
21 U.S.C. §841(a)(1) -
Possession Of Cocaine With
Intent To Distribute
18 U.S.C. § 2 - Aiding and
Abetting

INFORMATION

The United States Attorney charges that:

COUNT ONE: (21 U.S.C. § 846 - Conspiracy To Distribute And To
Possess With Intent To Distribute Cocaine).

In or about February 2002 at Auburn, Weston, in the District
of Massachusetts and elsewhere,

JUAN AGUSTIN CARABALLO and
JEAN CLAUDE MULLER,

defendants herein, did knowingly and intentionally combine,
conspire, confederate, and agree with each other and with other
persons, known and unknown to the United States, to possess with
intent to distribute and to distribute cocaine, a Schedule II
controlled substance, in violation of Title 21, United States
Code, § 841(a)(1).

It is further alleged that this offense involved at least 500 grams of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance. Accordingly, Title 21, United States Code, § 841(b)(1)(B)(ii) is applicable to this count.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO: (21 U.S.C. § 841(a)(1) - Possession Of Cocaine
With Intent To Distribute; 18 U.S.C. § 2 -
Aiding and Abetting) .**

The United States Attorney charges that:

On or about February 27, 2002 at Auburn, Weston, and
elsewhere in the District of Massachusetts,

**JUAN AGUSTIN CARABALLO and
JEAN CLAUDE MULLER,**

defendants herein, did knowingly and intentionally possess with
intent to distribute cocaine, a Schedule II controlled substance,
in violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that this offense involved at least
500 grams of a mixture and substance containing a detectable
amount of cocaine, a Schedule II controlled substance.
Accordingly, Title 21, United States Code, § 841(b)(1)(B)(ii) is
applicable to this count.

All in violation of Title 21, United States Code, Section
841(a)(1) and Title 18, United States Code, Section 2.

Notice Of Additional Factors


The United States Attorney further charges that:

1. Defendant Juan Caraballo is responsible for at least 500 grams but less than two kilograms of cocaine. Accordingly, U.S.S.G. § 2D1.1(c)(7) is applicable to this defendant.

2. Defendant Jean Muller is responsible for at least 500 grams but less than two kilograms of cocaine. Accordingly, U.S.S.G. § 2D1.1(c)(7) is applicable to this defendant.

MICHAEL J. SULLIVAN
United States Attorney

By:


Neil J. Gallagher, Jr.
Assistant U.S. Attorney

DATED: December 28, 2004.

Criminal Case Cover Sheet U.S. District Court - District of Massachusetts

Place of Offense: Auburn Category No. I Investigating Agency DEA/MSP

City Boston Related Case Information:

County Suffolk Superseding Ind./ Inf. XXX Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name Juan Augstin Caraballo Juvenile: ☐ Yes ☒ No

Alias Name _____

Address 75 Baker Street, Lynn, MA

Birthdate: 1959 SS # xxx-xx-3114 Sex: Male Race: Hispanic Nationalit Dominican Rep.

Defense Counsel if known: William Keefe, Esq. Address 350 Centre St., Jamaica Plain, MA

Bar Number _____

U.S. Attorney Information:

AUSA Neil J. Gallagher, Jr. Bar Number if VA Bar No. 41457

Interpreter: ☒ Yes ☐ No List language and/or dialect: Spanish

Matter to be SEALED: ☐ Yes ☒ No

☒ Warrant Requested ☐ Regular Process ☐ In custody at Worcester HOC

Location Status:

Arrest Date 2/27/02

Already in Federal Custody as of _____ in _____

☒ Already in State Custody at Worcester HOC ☐ Awaiting Trial


☐ On Pretrial Release: Ordered by: _____ on _____

Charging Document: ☒ Complaint ☐ Information XXX ☐ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 2 counts _____

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: December 28, 2004 Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Juan Augustin Caraballo

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. § 846</u>	<u>Conspiracy to Possess With Intent to Distribute and Distribute More Than 500 Grams of Cocaine</u>	<u>1</u>
Set 2	<u>21 U.S.C. §841(a)(1)</u>	<u>Possession With Intent to Distribute More Than 500 Grams of Cocaine</u>	<u>2</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: Defendant is currently in State custody at the Worcester County House of Corrections.

Criminal Case Cover Sheet U.S. District Court - District of Massachusetts

Place of Offense: Auburn Category No. I Investigating Agency DEA/MSP

City Boston Related Case Information:

County Suffolk Superseding Ind./ Inf. XXX Case No. _____
 Same Defendant _____ New Defendant _____
 Magistrate Judge Case Number _____
 Search Warrant Case Number _____
 R 20/R 40 from District of _____

Defendant Information:

Defendant Name Jean Claude Muller Juvenile: ☐ Yes ☒ No

Alias Name _____

Address 48 Thompson Street, Lynn, MA

Birthdate: x.x.1956 SS # _____ Sex: Male Race: Caucasian Nationalit French

Defense Counsel if known: Mark E. Noonan, Esq. Address 108 Grove St., Worcester, MA

Bar Number _____

U.S. Attorney Information:

AUSA Neil J. Gallagher, Jr. Bar Number if _____ VA Bar No. 41457

Interpreter: ☐ Yes ☒ No List language and/or dialect: _____

Matter to be SEALED: Yes ☐ No ☒

XX Warrant Requested Regular Process Defendant is in custody at Worcester HOC.

Location Status:

Arrest Date 2/27/02

Already in Federal Custody as of _____ in _____

☒ Already in State Custody at the Worcester County HOC. ☐ Awaiting Trial

☐ On Pretrial Release: Ordered by: _____ on _____

Charging Document: Complaint XXX Information Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 2

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: December 28, 2004 Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Jean Claude Muller

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. §846</u>	<u>Conspiracy to Possess With Intent to Distribute and Distribute More Than 500 grams of Cocaine</u>	<u>1</u>
Set 2	<u>21 U.S.C. §841(a)(1)</u>	<u>Possession With Intent to Distribute More Than 500 Grams of Cocaine</u>	<u>2</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

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